

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**CONTRACTORS BONDING AND
INSURANCE COMPANY,**

Case No. 3:21-cv-00497-SB

Plaintiff,

OPINION AND ORDER

v.

**RADIAN CONSTRUCTION
CORPORATION, et al.,**

Defendants.

MOSMAN, J.,

On November 29, 2021, Magistrate Judge Stacie F. Beckerman issued her Findings and Recommendation (“F&R”) [ECF 27], recommending that I grant Plaintiff’s Motion for Default Judgment as to Defendant Radian Construction Corporation [ECF 23]. No objections were filed. Upon review, I agree with Judge Beckerman and GRANT the motion.

DISCUSSION

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court

is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge Beckerman's recommendation and I ADOPT the F&R [ECF 27]. I GRANT Plaintiff's Motion for Default Judgment [ECF 23] and enter judgment against Defendant Radian Construction Corporation.

IT IS SO ORDERED.

DATED this 15th day of December, 2021.


MICHAEL W. MOSMAN
United States District Judge